

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07  
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15  
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FM AMEMBASSY MADRID  
TO SECSTATE WASHDC PRIORITY 9632  
INFO AMEMBASSY BONN  
AMEMBASSY BRUSSELS  
AMEMBASSY COPENHAGEN  
AMEMBASSY THE HAGUE  
AMEMBASSY LISBON  
AMEMBASSY LONDON  
AMEMBASSY OSLO  
AMEMBASSY PARIS  
USMISSION NATO  
USMISSION EC BRUSSELS

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E.O. 11652: N/A  
TAGS: PINT, SP  
SUBJECT: POLITICAL DEVELOPMENTS: SUPREME COURT TO RE-  
TURN PCE LEGALIZATION CASE TO INTERIOR MINISTRY; GOVT  
MOVES TO DISMANTLE NATIONAL MOVEMENT

REF: MADRID 2442

1. THE SATURDAY MORNING MADRID PRESS REPORTS THAT, ALTHOUGH  
AS OF LAST NIGHT THE SUPREME COURT STILL HAD NOT OFFICIALLY  
COMMUNICATED ITS DECISION IN THE PCE CASE TO THE GOVT, SOURCES  
CLOSE TO THE COURT HAVE ADVISED INFORMALLY THAT THE FOURTH  
CHAMBER HAS INDEED DECLARED ITSELF INCOMPETENT TO RULE AND HAS  
DECIDED TO RETURN THE CASE TO THE INTERIOR MINISTRY. THE RULING,  
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WHICH IS TO BE COMMUNICATED TO THE GOVT TODAY, REPORTEDLY LEAVES  
OPEN THE POSSIBILITY OF RETURNING THE CASE TO THE COURT'S SECOND  
CHAMBER, WHICH HAS JURISDICTION OVER CRIMINAL MATTERS (REFTEL).

2. MEANWHILE, THE COUNCIL OF MINISTER YESTERDAY TOOK AN IMPORTANT  
STEP TOWARD DISMANTLING -- AND DEPOLITICIZING -- THE ANACHRON-  
ISTIC NATIONAL MOVEMENT WHEN IT APPROVED A DECREE-LAW WHICH,

INTER ALIA:

- ABOLISHES THE MOVEMENT'S CABINET PORTFOLIO AND MAKES CURRENT MOVEMENT SECGEN GARCIA LOPEZ A MINISTER WITHOUT PORTFOLIO (MINISTO SECRETARIO DEL GOBIERNO);
- TURNS OVER THE PATRIMONY OF THE MOVEMENT TO THE TREASURY MINISTRY (HACIENDA);
- TRANSFERS THE MOVEMENT'S RESPONSIBILITIES FOR YOUTH, SPORTS AND FAMILY MATTERS TO A NEWLY CREATED OFFICE IN THE MINISTRY OF THE PRESIDENCY; AND
- PLACES THE MOVEMENT'S RADIO STATION AND NEWSPAPERS UNDER THE MINISTRY OF INFORMATION AND TOURISM;

3. COMMENT: WITH THE PCE LEGALIZATION CASE BOUNCED BACK TO THE INTERIOR MINISTRY, AND THE IMPLICATION THAT THIS WILL BE THE PRECEDENT FOR THE REMAINING TWENTY-ODD CASES IN THE COURT'S HANDS, THE GOVT IS IN EFFECT BACK TO SQUARE ONE WITH THIS KNOTTY PROBLEM--AND LEFT WITH A HEADACHE IT HARDLY NEEDS AT THIS POINT. THE GOS PROBABLY WILL BE RELUCTANT TO RULE ON THE CASE ONE WAY OR THE OTHER, PREFERING EITHER TO PROCRASTINATE UNTIL AFTER ELECTIONS OR TO APPROVE ANOTHER DECREE-LAW STIPULATING THE JURISDICTION OF THE COURT'S SECOND CHAMBER. PARTICULARLY THE FIRST COURSE WOULD, HOWEVER, ELICIT CRIES OF FOUL FROM THE PCE AND THE LEFT GENERALLY, BUT IT WOULD STILL LEAVE THE COMMUNISTS THE OPTION OF RUNNING "INDEPENDENT" SLATES IN THE ELECTION.

4. AS FOR THE COUNCIL OF MINISTERS' DECISION ON THE MOVEMENT, IT REPRESENTS THE OBVIOUSLY IMPORTANT SYMBOLIC DISMANTLING OF THIS VESTIGE OF FRANCOISM, BUT IT IS TOO EARLY TO TELL WHETHER IT WILL LEAD TO THE MOVEMENT'S EFFECTIVE NEUTRALIZATION. BOTH LIMITED OFFICIAL USE

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THE TRADITIONAL OPPOSITION AND ALIANZA POPULAR WILL INSIST ON THE NEUTRALIZATION OF LOCAL LEVEL MOVEMENT OFFICIALDOM IN THE COMING ELECTORAL CAMPAIGN, AND IT IS NOT CLEAR WHAT THIS DECREE-LAW WILL MEAN WITH RESPECT TO THIS PROBLEM. EATON

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## Message Attributes

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**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
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**Concepts:** REPORTS, INTELLIGENCE ASSESSMENTS, POLITICAL SITUATION  
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**Disposition Date:** 22 May 2009  
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**TAGS:** PINT, SP  
**To:** STATE  
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